

## Physical Therapy Board of California

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### The Law & Regulation Governing Physical Therapy Aides

#### **Business and Professions Code Section 2630. License Required – Exceptions**

It is unlawful for any person or persons to practice, or offer to practice, physical therapy in this state for compensation received or expected, or to hold himself or herself out as a physical therapist, unless at the time of so doing the person holds a valid, unexpired, and unrevoked license issued under this chapter.

Nothing in this section shall restrict the activities authorized by their licenses on the part of any persons licensed under this code or any initiative act, or the activities authorized to be performed pursuant to Article 4.5 (commencing with Section 2655) or Chapter 7.7 (commencing with Section 3500).

A physical therapist licensed pursuant to this chapter may utilize the services of one aide engaged in patient-related tasks to assist the physical therapist in his or her practice of physical therapy. "Patient-related task" means a physical therapy service rendered directly to the patient by an aide, excluding non-patient-related tasks. "Non-patient-related task" means a task related to observation of the patient, transport of the patient, physical support only during gait or transfer training, housekeeping duties, clerical duties, and similar functions. The aide shall at all times be under the orders, direction, and immediate supervision of the physical therapist. Nothing in this section shall authorize an aide to independently perform physical therapy or any physical therapy procedure. The board shall adopt regulations that set forth the standards and requirements for the orders, direction, and immediate supervision of an aide by a physical therapist. The physical therapist shall provide continuous and immediate supervision of the aide. The physical therapist shall be in the same facility as, and in proximity to, the location where the aide is performing patient-related tasks, and shall be readily available at all times to provide advice or instruction to the aide. When patient-related tasks are provided to a patient by an aide, the supervising physical therapist shall, at some point during the treatment day, provide direct service to the patient as treatment for the patient's condition, or to further evaluate and monitor the patient's progress, and shall correspondingly document the patient's record.

The administration of massage, external baths, or normal exercise not a part of a physical therapy treatment shall not be prohibited by this section.

## **Title 16, California Code of Regulations Section 1399 Requirements for Use of Aides**

A physical therapy aide is an unlicensed person who assists a physical therapist and may be utilized by a physical therapist in his or her practice by performing non-patient related tasks, or by performing patient related tasks.

(a) As used in these regulations:

(1) A "patient related task" means a physical therapy service rendered directly to the patient by an aide, excluding non-patient related tasks as defined below.

(2) A "non-patient related task" means a task related to observation of the patient, transport of patients, physical support only during gait or transfer training, housekeeping duties, clerical duties and similar functions.

(b) "Under the orders, direction and immediate supervision" means:

(1) Prior to the initiation of care, the physical therapist shall evaluate every patient prior to the performance of any patient related tasks by the aide. The evaluation shall be documented in the patient's record.

(2) The physical therapist shall formulate and record in the patient's record a treatment program based upon the evaluation and any other information available to the physical therapist, and shall determine those patient related tasks which may be assigned to an aide. The patient's record shall reflect those patient related tasks that were rendered by the aide, including the signature of the aide who performed those tasks.

(3) The physical therapist shall assign only those patient related tasks that can be safely and effectively performed by the aide. The supervising physical therapist shall be responsible at all times for the conduct of the aide while he or she is on duty.

(4) The physical therapist shall provide continuous and immediate supervision of the aide. The physical therapist shall be in the same facility as and in immediate proximity to the location where the aide is performing patient related tasks, and shall be readily available at all times to provide advice or instruction to the aide. When patient related tasks are provided a patient by an aide the supervising physical therapist shall at some point during the treatment day provide direct service to the patient as treatment for the patient's condition or to further evaluate and monitor the patient's progress, and so document in the patient's record.

(5) The physical therapist shall perform periodic re-evaluation of the patient as necessary and make adjustments in the patient's treatment program. The re-evaluation shall be documented in the patient's record.

(6) The supervising physical therapist shall countersign with their first initial and last name, and date all entries in the patient's record, on the same day as patient related tasks were provided by the aide.

Note: Authority cited: Section 2615, Business and Professions Code. Reference: Section 2630, Business and Professions Code.

History:

(1.) Amendment of subsection (b) filed 3-20-78, Register 78, No. 12.

(2.) Amendment filed 8-13-81, Register 81, No. 33.

(3.) Amendment of subsections (b)(1), (b)(2), (b)(4) and (b)(5) and new subsection (b)(6) filed 10-21-94, Register 94, No. 42.

## CLARIFICATION OF SUPERVISORY RESPONSIBILITIES OF THE PHYSICAL THERAPIST WHEN SUPERVISING A PHYSICAL THERAPY AIDE

How is “continuous and immediate” and “in close proximity” interpreted functionally in reference to supervision of the physical therapy aide by the physical therapist?

To ensure a physical therapist is providing continuous and immediate supervision of the physical therapy aide, it is essential for the supervising physical therapist to be in close proximity to the physical therapy aide performing patient related tasks, and the supervising physical therapist be readily available at ALL times to provide advice or instruction to the physical therapy aide.

The following definitions provide a clearer picture of what is meant by continuous, immediate supervision in proximity to the location where the physical therapy aide is performing patient related tasks.

<u>Continuous:</u>	Uninterrupted, unceasing
<u>Immediate:</u>	Occurring at once; without delay; instant
<u>Supervision:</u>	To look over, to see, to direct
<u>Proximity:</u>	Nearness, closeness, the fact of being near
<u>Readily:</u>	Promptly
<u>Available:</u>	Accessible for use, at hand

Therefore, in order to provide direction to the physical therapy aide, the supervising physical therapist would have to be near or close enough to provide advice or instruction instantly and without delay. While this may not require sharing the same treatment room with the physical therapy aide it does require the supervising physical therapist to be within an audible range that would ensure the instant presence of the supervising physical therapist.

It is the sole responsibility of the physical therapist to ensure the safety of the patient and the quality of care rendered. And, since the Physical Therapy Board of California licenses the physical therapist, not the physical therapy aide, it is the physical therapist that is held accountable if professional judgment is compromised.

*Adopted by the Practice Issues Committee on May 9, 2002*

Note: This document is not a declaratory opinion of the Physical Therapy Board of California.